

House File 2300 - Introduced

HOUSE FILE 2300

BY KRESSIG

A BILL FOR

1 An Act concerning motor vehicle-related violations committed
2 with a denied, canceled, suspended, revoked, or barred
3 driver's license that result in serious injury or death, and
4 providing penalties.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 321.482B Violations committed while
2 operating without valid driver's license — serious injury or
3 death — penalty.

4 1. A person who operates a motor vehicle while the person's
5 driver's license or operating privilege has been denied,
6 canceled, suspended, revoked, or barred and who commits a
7 moving violation during such operation that results in serious
8 injury, as defined in section 702.18, to another person is
9 guilty of a serious misdemeanor.

10 2. A person who operates a motor vehicle while the person's
11 driver's license or operating privilege has been denied,
12 canceled, suspended, revoked, or barred and who commits a
13 moving violation during such operation that results in the
14 death of another person is guilty of an aggravated misdemeanor.

15 3. For the purposes of this section, "*moving violation*"
16 means as defined in 761 IAC 615.1, and does not include any
17 violation not considered a moving violation under this chapter.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill provides that a person who operates a motor vehicle
22 while the person's driver's license or operating privilege
23 has been denied, canceled, suspended, revoked, or barred and
24 who commits a moving violation during such operation that
25 results in serious injury to another person is guilty of a
26 serious misdemeanor. If the moving violation results in the
27 death of another person, the person is guilty of an aggravated
28 misdemeanor. Under Code section 903.1, a serious misdemeanor
29 is punishable by a fine of at least \$315 but not to exceed
30 \$1,875 and imprisonment not to exceed one year. An aggravated
31 misdemeanor is punishable by a fine of at least \$625 but not to
32 exceed \$6,250 and imprisonment not to exceed two years.

33 The bill defines "moving violation" as the term is
34 defined in the Iowa administrative code by the department of
35 transportation. Under the bill, "moving violation" does not

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1 include any violation not considered a moving violation under
2 Code chapter 321, including text messaging while driving in
3 violation of Code section 321.276.